

Natural Resources Wales permitting decisions

Bespoke permit

We have decided to grant the permit for Morris & Co. (Handlers) Ltd operated by Morris & Co. (Handlers) Limited.

The permit number is EPR/BB3394CL

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Structure of this document

- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Consultation		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to consultation and web publicising	The web publicising and responses (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
Operator		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application. To ensure the site remains a waste activity a limit of shredding no more than 75 tonnes per day has been included on the permit, above which the site would be operating as an industrial Emissions Directive installation. This has also been limited by procedures in the Environmental Management System.	✓
Sustainable Management of Natural Resources (SMNR)		
Considerations of SMNR - Compliance with our General Purpose	We are satisfied that this decision is compatible with our general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.	✓
The site		

Aspect considered	Justification / Detail	Criteria met
		Yes
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.</p> <p>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	<p>The operator has provided a description of the condition of the site.</p> <p>We consider this description is not satisfactory. Information has not been supplied on: the environmental setting including the geology and hydrogeology; historical pollution; and historical land use. The decision was taken in accordance with our guidance on site condition reports – guidance and templates (H5).</p>	X
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the sites.</p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The operator has identified suitable measures in accordance with the relevant technical guidance note for waste activities; 'How to comply with your environmental permit'.</p> <p>The operator has submitted a noise management plan and fire prevention and mitigation plan detailing</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>measures used to prevent or minimise noise and the risk of fire from the activity.</p> <p>The measures included in the noise management plan and fire prevention and mitigation plan have been assessed and are considered as suitable to control the risk of noise and the risk of fire from the activity. In accordance with H3 part 2 noise assessment and control and Fire prevention and mitigation plan - waste management Guidance No. 16 respectively.</p>	
The permit conditions		
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons:</p> <ul style="list-style-type: none"> - The proposed waste types are suitable for the nature of the permitted facility - The operator has suitable waste acceptance, storage and treatment procedures in place - Appropriate measures are in place to prevent/reduce fugitive emissions <p>We have excluded the following wastes for the following reasons</p> <ul style="list-style-type: none"> • consisting solely or mainly of dusts, powders or loose fibres <p>because the exclusions will ensure risk from the activity is contained and that measures used on site remain appropriate for the actual permitted activity.</p> <p>We made these decisions with respect to waste types in accordance with waste facility technical guidance note 'How to comply with your environmental permit', Sector Guidance Note S5.06 'Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste', and after full assessment of the operating techniques used on site to control the risks from the activity.</p>	✓
Pre-operational conditions	Based on the information in the application, we consider that we need to impose pre-operational conditions.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	The Noise Management Plan and Survey identified a likelihood of impact at the sensitive receptor. The Noise Management Plan and Survey proposed measures that would reduce/remove the impact at the sensitive receptor. The pre-operational condition requires that the operator complete the recommendations to repair the existing recycling building and if necessary carry out further abatement measures where measurements indicate there is a continued risk of impact.	
Incorporating the application	We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process. These descriptions are specified in the Operating Techniques table in the permit.	✓
Operator Competence		
Environment management system	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓
Technical competence	Technical competency is required for activities permitted. The operator is a member of an agreed scheme. The operator satisfies the criteria in RGN 5 on Operator Competence.	✓
Relevant convictions	Our Enforcement Database has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The operator satisfies the criteria in RGN 5 on Operator Competence.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓

Annex 2: Consultation and web publicising responses

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process. (Newspaper advertising is only carried out for certain application types, in line with our guidance.)

Response received from
Abertawe Bro Morgannwg University Health Board
Brief summary of issues raised
<p>There is a risk of nuisance dusts, noise and odours may occur. Plans and procedures in place to mitigate these issues within the operators Environmental Management System. Adverse impacts on local air quality are minimal and public health implications associated with operations at the site are unlikely.</p> <p>Overall conclusion – no grounds for objection based upon the public health considerations contained within the application.</p>
Summary of actions taken or show how this has been covered
<p>An assessment of the operating techniques used on site to control the risks from the activity has been undertaken in making this decision. These are included in Table S1.2. The operator must carry out the activities in accordance with this plan.</p>

Response received from
Neath Port Talbot County Borough Council
Brief summary of issues raised
<ul style="list-style-type: none">• Noise complaints have been received in relation to activities in the area, however they have not identified this operator as the source.• In light of the potential cumulative noise impact of the various processes in the area, we trust that noise will be treated as a priority during the application.• Recent planning consents at other similar sites in the area have included stringent noise conditions, and it would assist the Local Authority and NRW if permits in the area are in line, and support planning conditions in the area.
Summary of actions taken or show how this has been covered
<p>The operator has supplied a noise management plan and survey. This has been assessed in accordance with relevant guidance: H3 part 2 noise assessment and control, and incorporated into the Operating Techniques table in the permit. The operator must carry out the activities in accordance with this plan.</p>

Response received from
Mid and West Wales Fire and Rescue Service (FRS)

Brief summary of issues raised

Initial response raised concern that no suppression system was proposed as had been discussed during pre-application. Whilst a suppression system would be unsuitable for a metal waste fire a misting system had originally been proposed that would cool. However, the operator did not include this proposal in the application.

Additionally, the FRS felt that by installing the misting system the site would be future proofed should the operator choose to store different wastes.

Summary of actions taken or show how this has been covered

A response was made to the FRS that highlighted that the Fire prevention and mitigation plan - waste management Guidance No.16 (FPMP Guidance) states that any suppression system should be proportionate to the nature and scale of the activity. As the risk of combustion is low due to the waste types and storage time that installing a suppression / misting system would be out of proportion to the risk from the activity. Additionally, we explained that permits were not future proofed and any change to the waste types accepted would require a variation application to be made at which point the Fire Prevention and Mitigation Plan (FPMP) would need to be provided and assessed of increasing the risk of fire e.g. additional waste types. The FRS confirmed that they had no further issues/concerns.

The operator has supplied a FPMP. This has been assessed in accordance with the FPMP Guidance and incorporated into the Operating Techniques table in the permit. The operator must carry out the activities in accordance with this plan.